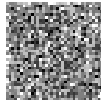


Rs. 15,000/- per month in favour of the respondents (Rs. 8,000/- per month to respondent No.1 and Rs. 7,000/- to respondent No.2). Aggrieved by the same, the petitioner has approached this Court by filing the present revision petition.

3. Learned counsel for the petitioner *inter alia* contends that learned Family Court, Narnaul, has has fell into grave error by awarding interim maintenance to the tune of Rs. 15,000/- per month in favour of respondents as respondent No. 1-wife has left the company of the petitioner without any justifiable cause and out of her own sweet will. It is further contended that learned Family Court below did not consider the fact that no affidavit with regard to assets and liabilities has been filed by respondent No.1-wife, whereas the monthly income of the petitioner is only Rs. 10,000/- per month. Therefore, the amount so awarded is excessive/exorbitant in nature. Learned counsel for the petitioner has relied upon the judgment passed by Delhi High Court in ***MAT. APP (F.C) 248/2019 and CM APPL. 20720/2022 decided on dated 12.09.2023 titled as Mamta Jaiswal Vs. Rajesh Jaiswal 2000(3) MPLJ 100.***

4. Learned counsel for respondents submits that the petitioner is an Engineer and working in several companies thus earning to the tune of Rs. 1,00,000/- per month. However, she could not controvert the fact that interim maintenance was awarded without obtaining the affidavit of assets and liabilities from respondent No. 1-wife.

5. Having heard the learned counsel for the parties and after perusing the record with their able assistance, the matter is taken up for disposal. A perusal of the impugned order indicates that interim maintenance was awarded by learned Court below without obtaining the affidavit disclosing assets and liabilities from respondent No. 1-wife. A two Judge Bench of the Hon'ble



Supreme Court in ***Rajnesh v. Neha and another (2021) 2 SCC 324***, speaking through Justice Indu Malhotra, has observed as follows :

“(b) Payment of Interim Maintenance

132. The Affidavit of Disclosure of Assets and Liabilities annexed as Enclosures I, II and III of this judgment, as may be applicable, shall be filed by both parties in all maintenance proceedings, including pending proceedings before the concerned Family Court/District Court/Magistrates Court, as the case may be, throughout the country.”

6. In view of the discussion above, the impugned order dated 17.08.2023 is hereby set aside and the matter is remanded back to the learned Family Court, Narnaul. The learned Court below is directed to pass a fresh order on the application for interim maintenance filed by the respondents, strictly in accordance with law laid down by Hon’ble Supreme Court in **Rajnesh v. Neha and another (2021) 2 SCC 324**.

7. The present petition stands disposed of accordingly.

8. Pending miscellaneous application(s), if any, also stand(s) disposed of.

August 13, 2024

Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No